

The Energy And Technology Committee

February 21, 2006

House Bill 5262: AAC MINOR REVISIONS TO THE UTILITY STATUTES

Testimony of

The Office of Consumer Counsel

Mary J. Healey, Consumer Counsel

The Office of Consumer Counsel (OCC) supports passage of most aspects of House Bill 5262 but would like to raise two concerns, which concerns are addressed at the end of this testimony.

Section 1 of House Bill 5262 will appropriately improve customer notice of utility rate cases. Section 4 appropriately clarifies the basis for calculation of interest on customer security deposits held by utilities. Section 5 creates a reasonable extension of time from 30 days to 60 days for the DPUC to make a preliminary finding to a whistleblower complaint from a utility employee. Section 6 reasonably disallows the electric distribution companies from denying hardship customers new electric service during the winter months. Section 7 will ensure that delinquent customers are notified each month if termination of service is a possibility, instead of having one termination notice be deemed effective for 120 days. OCC supports each of these changes.

OCC also supports Section 2, which would amend Connecticut General Statutes (Conn. Gen. Stat.) Section 16-6a(b) to allow the Department of Public Utility Control (DPUC) to hire outside counsel to appear before the same federal agencies that OCC can presently hire outside counsel to appear before pursuant to Conn. Gen. Stat. Section 16-6a(c). OCC firmly believes that the two agencies should have parity as to their federal representation of the interests of the State in federal forums through outside counsel. OCC also firmly believes that this parity should extend to funding of federal advocacy. In this regard, OCC notes that Conn. Gen. Stat. Section 16-6a(b) allows DPUC to receive \$250,000 for outside counsel *per proceeding*, whereas OCC is limited to \$250,000 *per calendar year* for outside counsel. OCC suggests that Conn. Gen. Stat. Sections 16-6a(b) and 16-6a(c) be changed simultaneously to create complete parity in federal advocacy between the agencies.

OCC also has some concerns with Section 3, regarding the release of customer information to a competitive electric supplier by an electric distribution company. As currently drafted, Section 3, amending Conn. Gen. Stat. Section 16-245o, could be read as requiring the electric distribution company to release detailed customer information to an electric supplier upon the request of the supplier and without a demonstration of proof by the supplier of customer consent of such release. OCC believes that Section 3 should be revised to state that the electric supplier must present proof of customer consent to the electric distribution company before the distribution company will be required to release detailed customer information. In this regard, OCC notes that Connecticut and other States have experienced serious and damaging incidents of "slamming" (unauthorized changes to identity of utility supplier) and OCC feels strongly that changes to statutes that might increase risks of the occurrence of slamming should be carefully avoided.